

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on February 21, 2007 at 8:00 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Duane Ankney, Vice Chairman (R)
Rep. Hal Jacobson, Vice Chairman (D)
Rep. Debby Barrett (R)
Rep. Gary Branae (D)
Rep. Mary Caferro (D)
Rep. Sue Dickenson (D)
Rep. Gordon R. Hendrick (R)
Rep. Teresa K. Henry (D)
Rep. Pat Ingraham (R)
Rep. William J. Jones (R)
Rep. Bruce Malcolm (R)
Rep. Walter McNutt (R)
Rep. Alan Olson (R)
Rep. Mike Phillips (D)
Rep. Veronica Small-Eastman (D)
Rep. Franke Wilmer (D)

Members Excused: Rep. Scott Sales

Members Absent: None

Staff Present: Dee Barfknecht, Committee Secretary
Sheri Heffelfinger, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing: HB 667, HB 703, HB 706, HB 752
Executive Action: HB 544, HB 570, HB 576, HB 578
HB 659, HB 663, HB 679, HB 671

HEARING ON HB 752

Opening Statement by Sponsor:

00:02:13 Rep. John Sinrud (R), HD 67, opened the hearing on HB 752, Create ethics commission.

Proponents' Testimony: None

Opponents' Testimony:

00:08:28 Jonathan Motl, Montana Common Cause

Informational Testimony:

00:13:57 Mark Simonich, Secretary of State's Office

Questions from Committee Members and Responses:

00:14:59 Rep. Phillips
00:15:27 Rep. Sinrud
00:15:36 Rep. Ingraham
00:16:48 Rep. Sinrud
00:19:45 Rep. Ingraham
00:20:07 Rep. Sinrud
00:20:24 Rep. Ankney
00:20:47 Rep. Sinrud
00:22:13 Rep. Dickenson
00:22:37 Mr. Motl
00:25:24 Rep. Dickenson
00:25:29 Mr. Motl
00:25:35 Rep. Dickenson
00:25:50 Rep. Sinrud
00:25:58 Rep. Dickenson
00:26:36 Rep. Sinrud
00:26:49 Rep. Phillips
00:27:02 Rep. Sinrud

Closing by Sponsor:

00:27:08 Rep. Sinrud

Additional Discussion:

00:31:42 Rep. Jacobson

HEARING ON HB 706

Opening Statement by Sponsor:

00:32:32 Rep. Mary Caferro (D), HD 80, opened the hearing on HB 706, Add inflation factor to campaign contribution limits.

Proponents' Testimony:

00:33:09 Jonathan Motl, Montana Common Cause

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:37:04 Rep. Jones
00:37:55 Rep. Caferro
00:38:02 Rep. Jones
00:38:15 Rep. Caferro
00:38:46 Rep. Jones
00:38:56 Rep. Caferro
00:39:04 Rep. Jones
00:39:18 Rep. Caferro
00:39:43 Sheri Heffelfinger
00:39:55 Rep. Dickenson
00:40:16 Dennis Unsworth, Commissioner of Political Practices
00:40:56 Rep. Dickenson
00:41:03 Mr. Unsworth
00:41:17 Rep. Olson
00:41:34 Mr. Unsworth
00:42:12 Rep. Olson
00:42:24 Mr. Unsworth
00:43:52 Rep. Olson
00:44:02 Rep. Phillips
00:45:33 Rep. Caferro
00:45:45 Rep. Barrett
00:46:14 Rep. Caferro
00:46:23 Rep. Ingraham
00:46:29 Ms. Heffelfinger
00:46:56 Rep. Hendrick
00:47:29 Mr. Unsworth
00:47:56 Rep. Hendrick
00:48:06 Mr. Unsworth

Closing by Sponsor:

00:48:31 Rep. Caferro

HEARING ON HB 667

Opening Statement by Sponsor:

00:49:13 Rep. Jesse O'Hara (R), HD 18, opened the hearing on HB 667, Funding for Lewis and Clark tourism site endowments.

EXHIBIT(sth39a01)

Proponents' Testimony:

00:54:05 Jay Russell, Executive Director, Lewis and Clark Interpretative Center

EXHIBIT(sth39a02)

01:00:14 Hal Sterns, Public Historian and Guide, Lewis and Clark Commission

01:05:11 Warren Flynn, Executive Director, Travelers Rest and Heritage Association

EXHIBIT(sth39a03)

01:09:39 Stephanie Ambrose-Tubbs

01:11:17 Daniel Krum, Chairman, Pompeys Pillar Historical Association

EXHIBIT(sth39a04)

01:13:59 Chere Jiusto, Executive Director, Montana Preservation Association

01:17:22 Stuart Crook, Volunteer Interpreter and Guide, Travelers Rest State Park

01:20:13 James Parker Shield, Lewis and Clark Interpretive Center Board

01:23:30 Rep. Dickenson

01:24:50 Rhonda Wiggers, Great Falls Chamber of Commerce

Opponents' Testimony: None

Informational Testimony:

01:26:22 Denise King, Administrator, Montana Historical Society

Questions from Committee Members and Responses:

01:26:38 Rep. Barrett

01:27:02 Ms. Wiggers

01:27:17 Rep. Barrett

01:27:53 Mr. Flynn
01:29:45 Rep. Barrett
01:30:16 Rep. Malcolm
01:32:30 Mr. Russell
01:33:00 Rep. Malcolm
01:33:11 Mr. Russell
01:33:56 Rep. Malcolm
01:34:08 Mr. Russell
01:34:25 Rep. Malcolm
01:34:54 Mr. Russell
01:36:16 Rep. Malcolm
01:36:23 Mr. Russell
01:36:32 Rep. Ingraham
01:37:22 Paul Reichert, Executive Director, Montana Heritage
Commission
01:38:35 Rep. Ingraham
01:40:21 Rep. O'Hara
01:40:29 Mr. Russell
01:41:02 Rep. Ingraham
01:41:19 Mr. Russell
01:41:26 Rep. Phillips
01:42:15 Ms. King
01:43:02 Rep. Phillips
01:43:40 Rep. O'Hara
01:43:46 Rep. Phillips
01:43:56 Rep. O'Hara
01:44:13 Rep. Phillips
01:44:20 Rep. O'Hara
01:44:28 Rep. Barrett
01:44:50 Ms. Ambrose-Tubbs
01:44:58 Rep. Barrett
01:45:06 Ms. Ambrose-Tubbs
01:45:39 Rep. Barrett
01:45:55 Ms. Ambrose-Tubbs
01:46:16 Rep. Malcolm
01:46:38 Rep. O'Hara

Closing by Sponsor:

01:47:12 Rep. O'Hara

HEARING ON HB 703

Opening Statement by Sponsor:

01:48:14 Rep. Rick Ripley (R), HD 17, opened the hearing on HB 703, Revise survey requirements for regional water projects.

Proponents' Testimony:

01:50:42 Clint Jacobs, Dry Prairie Rural Water System
01:55:02 Steve Wade, North Central Regional Water Project
01:56:19 Tom Schultz, Department of Natural Resources

Opponents' Testimony: None

Informational Testimony:

01:57:35 Ray Beck, Department of Natural Resources

Questions from Committee Members and Responses:

01:57:58 Rep. Barrett
01:58:16 Rep. Ripley
01:58:30 Rep. Ingraham
01:59:03 Rep. Ripley
01:59:09 Rep. Ingraham
01:59:24 Rep. Phillips
01:59:51 Rep. Ripley

Closing by Sponsor:

01:59:59 Rep. Ripley

02:00:22 Break
02:18:23 Reconvene

EXECUTIVE ACTION ON HB 570

02:19:01 **Motion:** Rep. Ingraham moved that **HB 570 DO PASS.**

02:19:21 **Motion:** Rep. Olson moved that **HB 570 BE AMENDED.**
EXHIBIT(sth39a05)

Discussion:

02:20:15 Rep. Olson
02:20:21 Ms. Heffelfinger
02:32:00 Rep. Olson
02:32:28 Ms. Heffelfinger
02:33:45 Rep. Olson
02:33:50 Rep. Henry
02:34:00 Rep. Olson
02:34:06 Rep. Phillips
02:34:34 Rep. Olson

02:34:41 Ms. Heffelfinger

02:35:02 Rep. Ingraham

02:35:13 **Vote:** Motion that **HB 570 BE AMENDED** carried unanimously by voice vote, 18-0. Reps. Sales, Jacobson, Wilmer and McNutt voted by proxy.

02:35:57 **Motion/Vote:** Rep. Olson moved that **HB 570 DO PASS AS AMENDED**. Motion that **HB 570 DO PASS AS AMENDED** carried by voice vote, 18-0. Reps. Sales, Jacobson, Wilmer and McNutt voted by proxy.

EXECUTIVE ACTION ON HB 578

02:37:50 **Motion:** Rep. Olson moved that **HB 578 DO PASS**.

Discussion:

02:38:20 Rep. Dickenson

02:40:59 Rep. Ankney

02:41:39 **Vote:** Motion that **HB 578 DO PASS failed** by roll call vote, 3-15. Reps. Jacobson, Small-Eastman and Wilmer voted aye. Reps. Sales, Jacobson, Wilmer and McNutt voted by proxy.

02:42:55 **Motion/Vote:** Rep. Ankney made a motion that **HB 578 BE TABLED**. Motion carried by voice vote, 16-2. Reps. Jacobson and Wilmer voted no. Reps. Sales, Jacobson, Wilmer and McNutt voted by proxy.

Additional Discussion:

02:43:26 Chairman Himmelberger

02:45:12 Rep. Phillips

EXECUTIVE ACTION ON HB 679

02:45:52 **Motion:** Rep. Ankney moved that **HB 679 DO PASS**.

02:46:03 **Motion:** Rep. Ankney moved that **HB 679 BE AMENDED**.
EXHIBIT(sth39a06)

Discussion:

02:46:10 Rep. Phillips

02:48:01 Rep. Ankney

02:48:32 **Vote:** Motion that **HB 679 BE AMENDED** carried by voice vote, 17-1. Rep. Phillips voted no. Reps. Sales, Jacobson, Wilmer and McNutt voted by proxy.

02:49:17 **Motion:** Rep. Ankney moved that **HB 679 DO PASS AS AMENDED.**

Discussion:

02:49:32 Rep. Ingraham

02:50:54 Rep. Dickenson

02:51:54 Rep. Olson

02:52:00 **Vote:** Motion that **HB 679 DO PASS AS AMENDED** carried by roll call vote, 10-8. Reps. Jacobson, Branae, Caferro, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted no. Reps. Sales, Jacobson and McNutt voted by proxy.

EXECUTIVE ACTION ON HB 544

02:55:00 **Motion:** Rep. Hendrick moved that **HB 544 DO PASS.**

02:55:23 **Motion:** Rep. Ingraham moved that **HB 544 BE AMENDED.**
EXHIBIT(sth39a07)

Discussion:

02:55:32 Rep. Malcolm

02:56:42 Ms. Heffelfinger

02:56:59 **Vote:** Motion that **HB 544 BE AMENDED** carried by voice vote, 15-3. Reps. Jacobson and Small-Eastman and Phillips voted no. Reps. Sales, Jacobson, Olson, Phillips and McNutt voted by proxy.

02:57:51 **Motion:** Rep. Ingraham moved that **HB 544 DO PASS AS AMENDED.**

Discussion:

02:58:13 Rep. Malcolm

02:58:19 Rep. Dickenson

02:59:18 Rep. Ingraham

02:59:56 **Vote:** Motion that **HB 544 DO PASS AS AMENDED** failed by roll call vote, 4-14. Reps. Ankney, Hendrick, Henry and Olson voted aye. Reps. Sales, Jacobson, Olson, Phillips and McNutt voted by proxy.

03:01:32 **Motion/Vote:** Rep. Ankney made a motion that **HB 544 BE TABLED**. Motion carried unanimously by voice vote, 18-0. Reps. Sales, Jacobson, Olson, Phillips and McNutt voted by proxy.

EXECUTIVE ACTION ON HB 576

03:02:09 **Motion:** Rep. Caferro moved that **HB 576 DO PASS**.

03:02:28 **Motion:** Rep. Henry moved that **HB 576 BE AMENDED**.
EXHIBIT(sth39a08)

Discussion:

03:03:35 Rep. Henry

03:03:55 **Vote:** Motion that **HB 576 BE AMENDED** carried unanimously by voice vote, 18-0. Reps. Sales, Jacobson, Phillips, Olson and McNutt voted by proxy.

03:04:28 **Motion:** Rep. Caferro moved that **HB 576 DO PASS AS AMENDED**.

Discussion:

03:04:41 Rep. Branae

03:05:00 Rep. Dickenson

03:06:04 Rep. Ankney

03:07:01 Rep. Barrett

03:07:11 Rep. Caferro

03:08:27 Rep. Wilmer

03:09:33 **Vote:** Motion that **HB 576 DO PASS AS AMENDED** failed by tie vote roll call vote, 9-9. Reps. Jacobson, Branae, Caferro, Dickenson, Henry, Jones, Phillips, Small-Eastman and Wilmer voted aye. Reps. Sales, Jacobson and McNutt voted by proxy.

03:11:00 **Motion/Vote:** Rep. Ankney made a motion that **HB 576 BE TABLED**. Motion failed by tie roll call vote, 9-9. Reps. Himmelberger, Ankney, Barrett, Hendrick, Ingraham, Malcolm, McNutt, Olson and Sales voted aye. Reps. Sales, Jacobson and McNutt voted by proxy.

EXECUTIVE ACTION ON HB 659

03:13:41 **Motion:** Rep. Olson moved that **HB 659 DO PASS**.

Discussion:

03:13:44 Rep. Olson

03:13:53 **Substitute Motion/Vote:** Rep. Olson made a substitute motion that **HB 659 BE TABLED**. Motion carried unanimously by voice vote, 18-0. Reps. Sales, Jacobson and McNutt voted by proxy.

EXECUTIVE ACTION ON HB 663

03:14:57 **Motion:** Rep. Olson moved that **HB 663 DO PASS**.

Discussion:

03:15:19 Rep. Olson

03:16:11 Rep. Dickenson

03:16:51 Rep. Olson

03:17:04 **Vote:** Motion that **HB 663 DO PASS carried** by roll call vote, 11-7. Reps. Barrett, Hendrick, Henry, Jones, Malcolm, Olson and Sales voted no. Reps. Sales, McNutt and Jacobson voted by proxy.

EXECUTIVE ACTION ON HB 671

03:19:26 **Motion:** Rep. Ingraham moved that **HB 671 DO PASS.**

Discussion:

03:19:47 Rep. Ingraham
03:20:34 Rep. Wilmer
03:20:56 Rep. Olson
03:21:07 Rep. Jones
03:21:24 Rep. Olson
03:21:48 Rep. Caferro
03:22:31 Rep. Hendrick
03:23:04 Rep. Henry
03:23:52 Chairman Himmelberger
03:24:15 Rep. Wilmer
03:24:32 Rep. Barrett
03:25:16 Rep. Small-Eastman
03:25:23 Ms. Heffelfinger

03:26:07 **Vote:** Motion that **HB 671 DO PASS** carried by roll call vote, 10-8. Reps. Himmelberger, Ankney, Barrett, Hendrick, Malcolm, McNutt, Olson and Sales voted no. Reps. Sales, Jacobson and McNutt voted by proxy.

Additional Discussion:

03:27:33 Rep. Phillips

Additional Exhibits:

Documents Pertaining to HB 752, Hearing Date 02/21/07

[EXHIBIT](#)(sth39a09)

ADJOURNMENT

03:28:27 Adjournment

REP. DENNIS HIMMELBERGER, Chairman

DEE BARFKNECHT, Secretary

DH/db

Additional Exhibits:

EXHIBIT ([sth39aad.pdf](#))